

## REMARKS

The undersigned greatly appreciates the courtesies extended by Examiners Rachna Singh and Joseph Feild during the interview at the Patent and Trademark Office on April 7, 2004. Applicant's representatives Shaun McCaffrey and Michael Newcity were in attendance at the interview. During the interview, Mr. McCaffrey provided brief historical background on the Applicant and the freight shipment industry. Mr. Newcity demonstrated use of the invention from the Applicant's website, and discussed its various features and reporting capabilities. Mr. Newcity further discussed the success of the invention in the industry, and the lack of any competitive system which offers shipment data in a convenient, easy-to-read calendar format.

Claims 1-40 in the case are pending and stand rejected. Claims 1-4, 10-13, 16-20, 30, 34-36, 38, and 40 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Adler in view of Lamb. Claims 5-9, 14-15, 21-29, 31-33, and 37 rejected under 35 U.S.C. §103(a) as being unpatentable over Adler in view of Lamb, and further in view of Martin.

As discussed during the interview, the prior art cited does not disclose, teach or suggest an electronic shipment planner, method, or computer-readable memory medium which presents shipment and scheduling information to a user in a convenient, easy-to-read calendar format. Given the myriad of freight shipment and tracking information generated, the efficient management of such information in this industry can significantly reduce administrative and transactional costs. This point is illustrated by the many customer testimonials presented to the examiners at the interview.

The *shipment and scheduling information* recited in the claims includes at least one *shipment event date* which is electronically associated with an *interactive shipment*

*data link*. The interactive shipment data link is displayed to the user in the calendar format, and is provided on the shipment event date associated with the shipment and scheduling information. When prompted by the user, the shipment data link cooperates with a system interface to access and retrieve the associated shipment and scheduling information contained in a shipment data repository.

As stated in the Office Action, neither Adler nor Lamb disclose a calendar system for shipment information. Likewise, neither reference provides interactive data links in a calendar format — *not for shipment information or any other information*. The "calendar program" referenced in Lamb displays only time slots for appointments during the day. While these time slots serve to calendar daily events, the program does not disclose presenting the *events* within a tabular register of days (i.e., calendar display format) which would enable users to quickly and efficiently identify relevant events throughout the week or month. Although Lamb contemplates multiple fields for displaying a single day in the calendar, a week in the calendar, and a month in the calendar (See col. 4, Ins. 16-18), there is no indication that anything other than the day of the week or the month dates would be displayed to the user in the week and month fields, respectively. One reasonable assumption is that by screen-touching or otherwise selecting the desired day in the calendar, the display would then convert to the daily events listing shown in Figure 1 of Lamb. This assumption is made based on the intended use of the program for handheld computers (e.g., a PalmPilot®) with very small display screens. As such, the calendaring program of Lamb when combined with the system of Adler does not render the claimed invention obvious, and would not likely serve to reduce administrative and transactional costs when used in the freight shipment industry.


Serial No.: 09/691,980

APPLICANT: ABF Freight Systems, Inc.

Page 14

For all of the reasons discussed above, Applicant submits that all of the claims in the case are now in condition for allowance. Such action is therefore requested at an early date. If the examiner believes that issues remain for discussion, she is invited to contact the undersigned at the telephone number or e-mail address listed below.

Respectfully submitted,



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